

ESTTA Tracking number: **ESTTA1086572**

Filing date: **10/05/2020**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

## Notice of Opposition

Notice is hereby given that the following party opposes registration of the indicated application.

### Opposer Information

Name	Comercializadora de Lacteos y Derivados, S.A. de C.V.
Granted to Date of previous extension	10/04/2020
Address	CALZ. CARLOS HERRERA ARALUCE NO. 185 PARQUE INDUST. CARLOS A. HERRERA ARALUC GOMEZ PALACIO, 35079 MEXICO
Attorney information	VINCENT C. LOMBARDOZZI VORYS, SATER, SEYMOUR AND PEASE LLP 1909 K STREET NW NINTH FLOOR WASHINGTON, DC 20006 UNITED STATES Primary Email: <a href="mailto:iplaw@vorys.com">iplaw@vorys.com</a> Secondary Email(s): <a href="mailto:vclobbardozzi@vorys.com">vclobbardozzi@vorys.com</a> , <a href="mailto:ltgeyer@vorys.com">ltgeyer@vorys.com</a> 202-467-8800
Docket Number	070615-4

### Applicant Information

Application No.	88701642	Publication date	04/07/2020
Opposition Filing Date	10/05/2020	Opposition Period Ends	10/04/2020
Applicant	Food La La LLC #108 5432 GEARY BOULEVARD SAN FRANCISCO, CA 94121 UNITED STATES		

### Goods/Services Affected by Opposition

Class 030. First Use: 0 First Use In Commerce: 0  
All goods and services in the class are opposed, namely: Macarons; Candy sprinkles

### Grounds for Opposition

Priority and likelihood of confusion	Trademark Act Section 2(d)
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### Marks Cited by Opposer as Basis for Opposition

U.S. Registration	2829118	Application Date	02/21/2002
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No.			
Registration Date	04/06/2004	Foreign Priority Date	10/01/2001
Word Mark	LALA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 0 First Use In Commerce: 0 [ Meat; fish; bird and hunting meat extracts; preserved fruits and vegetables; dry and cooked jelly; marmalades; fruit preserves; eggs; ] milk and milk products, namely, ultra-pasteurized milk, skim milk, whole milk, flavored milk, de-lactose milk and low fat milk [ ; edible oil and edible fats ]		

U.S. Registration No.	3319712	Application Date	12/29/2004
Registration Date	10/23/2007	Foreign Priority Date	NONE
Word Mark	LALA		
Design Mark			
Description of Mark	The mark consists of Stylized flower above stylized lettering LALA.		
Goods/Services	Class 029. First use: First Use: 2007/01/31 First Use In Commerce: 2007/01/31 Natural and flavored yoghurts and sour cream		

U.S. Registration No.	3383435	Application Date	06/16/2005
Registration Date	02/12/2008	Foreign Priority Date	NONE
Word Mark	LALA		
Design Mark			
Description of Mark	NONE		
Goods/Services	Class 029. First use: First Use: 2005/01/00 First Use In Commerce: 2005/01/00 milk; lactose-free milk; chocolate milk; [ fruit-flavored milk; vanilla-flavored milk; milk-based beverages containing coffee; ] dairy-based beverages; cream; [ half and half; ] yogurt-based beverages; Dairy products excluding ice cream, ice milk and frozen yogurt; [ cheese; soft cheese; ] yogurt Class 032. First use: First Use: 0 First Use In Commerce: 0 [ Fruit-flavored beverages ]		

U.S. Application/ Registration No.	NONE	Application Date	NONE
Registration Date	NONE		
Word Mark	LALA		
Goods/Services	various foods and beverages		

Attachments	Notice of Opposition - FOOD LA LA Ser. No. 88701642.pdf(3493570 bytes )
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Signature	/vcl/
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Name	Vincent C. Lombardozzi
Date	10/05/2020

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE  
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD**

In the Matter of Serial Number 88701642.

Comercializadora de Lacteos y Derivados,  
S.A. de C.V.

Opposer,

v.

Food La La LLC,

Applicant.

Opposition No. \_\_\_\_\_  
Mark: FOOD LA LA

**NOTICE OF OPPOSITION**

Comercializadora de Lacteos y Derivados, S.A. de C.V. (“Opposer”) believes that it is and will continue to be damaged by registration of Application Serial No. 88701642 for the mark FOOD LA LA, and therefore opposes the same. In support of this Notice of Opposition, Opposer alleges the following:



1. Opposer is a Mexican *sociedad anónima de capital variable* with offices located at Parque Indus. Carlos A. Herrera Araluce, Calzada Carlos Herrera Araluce No. 185, Gómez Palacio, Durango, Mexico 35079.

2. According to current TSDR records, Food La LLC (hereafter, “Applicant”) is a California limited liability company with an address located at 5432 Geary Boulevard, # 108, San Francisco California 94121, United States.

**Factual Background**

3. Opposer is the owner of the mark LALA, which it and its predecessors-in-interest and licensees have used in U.S. commerce in connection with a variety of foods and beverages (the “LALA Goods”) since at least as early as 2005 (hereafter the “LALA Mark”). As a result of such continuous use, Opposer owns strong common law rights in the LALA Mark in connection with the LALA Goods.

4. Opposer also owns several federal registrations for marks comprising or containing the word LALA, including the following (hereafter the “LALA Registrations”):

Mark	Reg. No.	Goods	Priority Date
	2829118	IC 29 - milk and milk products, namely, ultra-pasteurized milk, skim milk, whole milk, flavored milk, de-lactose milk and low fat milk	October 1, 2001
	3319712	IC 29 - Natural and flavored yoghurts and sour cream	December 29, 2004
LALA	3383435	IC 29 - milk; lactose-free milk; chocolate milk; yogurt-based beverages; Dairy products excluding ice cream, ice milk and frozen yogurt; yogurt	June 16, 2005

Copies of the TSDR records and certificates for the above registrations are attached as **Exhibit A**.

5. The LALA Registrations are incontestable.

6. On November 21, 2019, Applicant filed Application Serial No. 88701642 to register the mark FOOD LA LA for “Macarons; Candy sprinkles” in International Class 30 (hereafter, the “FOOD LA LA Application”).

7. The FOOD LA LA Application is based on Applicant’s intent to use the mark in commerce.

8. On information and belief, Applicant is using the mark FOOD LA LA in connection with candy sprinkles. On further information and belief, Applicant is not using the mark FOOD LA LA in connection with the remaining goods claimed in the FOOD LA LA Application.

9. The FOOD LA LA Application published for opposition on April 7, 2020.

10. Opposer requested an extension of the opposition deadline until October 4, 2020, which the Board granted. Because October 4, 2020 is a Sunday, Board rules permit Opposer to file the instant Notice of Opposition on October 5, 2020.

### **Standing**

11. Opposer has standing in this proceeding because it believes it is and will be damaged by registration of the applied-for mark FOOD LA LA appearing in the FOOD LA LA Application by virtue of Opposer's prior common law rights in the LALA Mark and Opposer's rights in the LALA Registrations.

### **Claim One - Likelihood of Confusion**

12. Opposer re-alleges and incorporates by reference Paragraphs 1 through 11.

13. Applicant's applied-for mark FOOD LA LA appearing in the FOOD LA LA Application is likely to cause consumer confusion with Opposer's LALA Mark and the marks appearing in Opposer's LALA Registrations.

14. Applicant's mark, FOOD LA LA, is highly similar to Opposer's LALA Mark and the marks appearing in the LALA Registrations because, *inter alia*, (i) it contains a phrase that is virtually identical to the LALA Mark (*i.e.*, LA LA) and (ii) the LA LA portion of Applicant's mark is the dominant element because the word FOOD is generic or highly descriptive of food and beverages.

15. The FOOD LA LA Application disclaims the word FOOD.

16. The goods claimed in the FOOD LA LA Application are related to Opposer's LALA Goods because, *inter alia*, macarons and candy sprinkles are desserts commonly made with and consumed with dairy products and other goods sold by Opposer under the LALA Mark or claimed in the LALA Registrations.

17. Consumers are likely to encounter both of the parties' respective goods because macarons and candy sprinkles are commonly sold in the same trade channels as Opposer's goods.

18. Opposer has not consented to Applicant's use of or application for the mark FOOD LA LA, or any other mark containing LALA or any word similar to LALA.

19. Opposer has priority based on its use of the LALA Mark in U.S. commerce since a date prior to Applicant's filing of the FOOD LA LA Application and / or use of the mark FOOD LA LA.

20. Opposer also has priority based on the priority dates of the LALA Registrations, which precede the priority date of the FOOD LA LA Application and Applicant's first use of the mark FOOD LA LA.

21. Therefore, the mark appearing in the FOOD LA LA Application so resembles a mark previously used and / or registered by Opposer (*i.e.*, the LALA Mark and marks appearing in the LALA Registrations) as to be likely, when used on or in connection with food and related goods, to cause confusion, mistake or deception among the consuming public and should be refused under 15 U.S.C. § 1052(d).

**Relief Sought**

For the foregoing reasons, this opposition should be sustained and Application Serial No. 88701642 should be refused. The required fees accompany this Notice of Opposition. Should the fees be found insufficient for any reason, please charge any additional fees to Deposit Account No. 50-6424. Please direct all correspondence to counsel for Opposer at the address indicated below.

Respectfully submitted,



Laura T. Geyer  
Vincent C. Lombardozzi  
Vorys, Sater, Seymour and Pease LLP  
1909 K Street, NW, Ninth Floor  
Washington, DC 20006  
Tel: 202-467-8800  
iplaw@vorys.com

*Attorneys for Opposer*

Dated: October 5, 2020

### **SERVICE**

Pursuant to 37 C.F.R. § 2.105 and TBMP § 309.02(c)(1), service of this Notice of Opposition will be provided by the Board in conjunction with the issuance of the Notice of Institution.



# EXHIBIT A

For assistance with TSDR, email [teas@uspto.gov](mailto:teas@uspto.gov) and include your serial number, the document you are looking for, and a screenshot of any error messages you have received.

**STATUS**   **DOCUMENTS**   **MAINTENANCE**

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Print

**Generated on:** This page was generated by TSDR on 2020-10-05 16:06:49 EDT

**Mark:** LALA



**US Serial Number:** 76373159

**Application Filing Date:** Feb. 21, 2002

**US Registration Number:** 2829118

**Registration Date:** Apr. 06, 2004

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status  
Descriptor:**



LIVE/REGISTRATION/Issued and Active

The trademark application has been registered with the Office

**Status:** The registration has been renewed.

**Status Date:** Jan. 03, 2014

**Publication Date:** Aug. 12, 2003

## Mark Information

**Mark Literal Elements:** LALA

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Color(s) Claimed:** Color is not claimed as a feature of the mark.

**Design Search Code(s):** 19.07.20 - Pots, flower, not containing plants; Flower pots, Without plants or flowers; Hangers, plant; Plant h

## Related Properties Information

**Claimed Ownership of US  
Registrations:** [1964847](#)

## Foreign Information

**Priority Claimed:** Yes

**Foreign Application** 509627

**Foreign Application Filing** Oct. 01, 2001 [Privacy - Terms](#)

<b>Number:</b>		<b>Date:</b>	
<b>Foreign Registration Number:</b>	758583	<b>Foreign Registration Date:</b>	Oct. 01, 2001
<b>Foreign Application/Registration Country:</b>	MEXICO	<b>Foreign Expiration Date:</b>	Oct. 01, 2011

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

**For:** [ Meat; fish; bird and hunting meat extracts; preserved fruits and vegetables; dry and cooked jelly; marmalade; milk and milk products, namely, ultra-pasteurized milk, skim milk, whole milk, flavored milk, de-lactose milk and edible fats ]

**International Class(es):** 029 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 44(e)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** No

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** Yes

**Currently 44E:** Yes

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** COMERCIALIZADORA DE LACTEOS Y DERIVADOS, S.A. DE C.V.

**Owner Address:** Parque Indus. Carlos A. Herrera Araluce  
Calz. Carlos Herrera Araluce No. 185  
Gómez Palacio, Durango MEXICO 35079

**Legal Entity Type:** SOCIEDAD ANONIMA DE CAPITAL VARIABLE

**State or Country Where Organized:** MEXICO

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** John M. Murphy

**Docket Number:** 06576.0010

**Attorney Primary Email Address:** [jmurphy@aml.com.mx](mailto:jmurphy@aml.com.mx)

**Attorney Email Authorized:** Yes

**Correspondent**

**Correspondent** John M. Murphy  
**Name/Address:** Arochi, Marroquín & Lindner, S.C.  
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 5802 BOB BULLOCK (LOOP 20)  
 LAREDO, TEXAS UNITED STATES 78041

**Phone:** 011.52.55.5095.2031**Fax:** 011.52.55.5095.2028

**Correspondent e-mail:** [jmurphy@aml.com.mx](mailto:jmurphy@aml.com.mx)  
[vlombardozi@aml.com.mx](mailto:vlombardozi@aml.com.mx) [lsoto@aml.com.mx](mailto:lsoto@aml.com.mx)

**Correspondent e-mail** Yes  
**Authorized:**

**Domestic Representative**

**Domestic Representative** John M. Murphy  
**Name:**

**Phone:** 011.52.55.5095.2031**Fax:** 011.52.55.5095.2028

**Domestic Representative e-mail:** [jmurphy@aml.com.mx](mailto:jmurphy@aml.com.mx)

**Domestic Representative e-mail** Yes  
**Authorized:**

**Prosecution History**

Date	Description	Proceeding Number
Feb. 13, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 13, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 11, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 09, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 03, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Jan. 03, 2014	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	69471
Jan. 03, 2014	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	69471
Dec. 20, 2013	REGISTERED - COMBINED SECTION 8 (10-YR) & SEC. 9 FILED	69471
Jan. 03, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	69471
Dec. 20, 2013	TEAS SECTION 8 & 9 RECEIVED	
Jul. 21, 2010	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	74886
Jun. 30, 2010	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74886
Jun. 14, 2010	TEAS SECTION 8 & 15 RECEIVED	
Oct. 09, 2009	AMENDMENT UNDER SECTION 7 – PROCESSED	60234
Sep. 23, 2009	TEAS RESPONSE TO OFFICE ACTION-POST REG RECEIVED	
Aug. 28, 2009	POST REGISTRATION ACTION MAILED - SEC. 7	60234
Aug. 20, 2009	ASSIGNED TO PARALEGAL	60234
Jul. 24, 2009	TEAS SECTION 7 REQUEST RECEIVED	
Jan. 22, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
May 25, 2007	CASE FILE IN TICRS	
May 14, 2007	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 14, 2007	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	

May 14, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Apr. 06, 2004	REGISTERED-PRINCIPAL REGISTER	
Sep. 23, 2003	EXTENSION OF TIME TO OPPOSE RECEIVED	
Aug. 12, 2003	PUBLISHED FOR OPPOSITION	
Jul. 23, 2003	NOTICE OF PUBLICATION	
Jun. 16, 2003	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jun. 10, 2003	Sec. 1(B) CLAIM DELETED	73269
May 13, 2003	CORRESPONDENCE RECEIVED IN LAW OFFICE	
May 13, 2003	PAPER RECEIVED	
Nov. 19, 2002	LETTER OF SUSPENSION MAILED	
Nov. 15, 2002	ASSIGNED TO EXAMINER	70436
Oct. 24, 2002	CORRESPONDENCE RECEIVED IN LAW OFFICE	
Oct. 24, 2002	PAPER RECEIVED	
May 22, 2002	NON-FINAL ACTION MAILED	
May 16, 2002	ASSIGNED TO EXAMINER	78370

## TM Staff and Location Information

### TM Staff Information - None

### File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Jan. 03, 2014

## Assignment Abstract Of Title Information - Click to Load

## Proceedings - Click to Load

Int. Cl.: 29

Prior U.S. Cl.: 46

Reg. No. 2,829,118

United States Patent and Trademark Office

Registered Apr. 6, 2004

Amended

OG Date Nov. 17, 2009

TRADEMARK  
PRINCIPAL REGISTER



IBE BUSINESS ENTERPRISE AG (SWITZERLAND CORPORATION)  
BAARERSTRASSE 86  
ZUG, SWITZERLAND 6300

PRIORITY CLAIMED UNDER SEC. 44(D) ON MEXICO APPLICATION NO. 509627, FILED 10-1-2001, REG. NO. 758583, DATED 10-1-2001.

OWNER OF U.S. REG. NO. 1,964,847.

SERVED FRUITS AND VEGETABLES; DRY AND COOKED JELLY; MARMALADES; FRUIT PRESERVES; EGGS; ] MILK AND MILK PRODUCTS, NAMELY, ULTRA-PASTEURIZED MILK, SKIM MILK, WHOLE MILK, FLAVORED MILK, DE-LACTOSE MILK AND LOW FAT MILK [ ; EDIBLE OIL AND EDIBLE FATS ], IN CLASS 29 (U.S. CL. 46). .

FOR: [ MEAT; FISH; BIRD AND HUNTING MEAT EXTRACTS; PRE-

SER. NO. 76-373,159, FILED 2-21-2002.

*In testimony whereof I have hereunto set my hand  
and caused the seal of The Patent and Trademark  
Office to be affixed on Nov. 17, 2009.*

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**Mark:** LALA



**US Serial Number:** 78539780

**Application Filing Date:** Dec. 29, 2004

**US Registration Number:** 3319712

**Registration Date:** Oct. 23, 2007

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

LIVE/REGISTRATION/Issued and Active

**Descriptor:**



The trademark application has been registered with the Office

**Status:** The registration has been renewed.

**Status Date:** Aug. 17, 2017

**Publication Date:** Sep. 27, 2005

**Notice of Allowance Date:** Dec. 20, 2005

## Mark Information

**Mark Literal Elements:** LALA

**Standard Character Claim:** No

**Mark Drawing Type:** 3 - AN ILLUSTRATION DRAWING WHICH INCLUDES WORD(S)/ LETTER(S)/NUMBER(S)

**Description of Mark:** The mark consists of Stylized flower above stylized lettering LALA.

**Color(s) Claimed:** Color is not claimed as a feature of the mark.

**Design Search Code(s):** 05.05.25 - Other flowers; Daffodils; Iris (flower)

## Related Properties Information

**Claimed Ownership of US** [2829118](#)  
**Registrations:**

## Goods and Services

**Note:**

[Privacy](#) - [Terms](#)

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [...] indicate deleted goods/services;
- Double parenthesis ((...)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*..\* identify additional (new) wording in the goods/services.

**For:** Natural and flavored yoghurts and sour cream

**International Class(es):** 029 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 1(a)

**First Use:** Jan. 31, 2007

**Use in Commerce:** Jan. 31, 2007

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** No

**Filed 44E:** No

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** COMERCIALIZADORA DE LACTEOS Y DERIVADOS, S.A. DE C.V.

**Owner Address:** Parque Indus. Carlos A. Herrera Araluce  
Calz. Carlos Herrera Araluce No. 185  
Gómez Palacio, Durango MEXICO 35079

**Legal Entity Type:** SOCIEDAD ANONIMA DE CAPITAL VARIABLE

**State or Country Where Organized:** MEXICO

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** John M. Murphy

**Docket Number:** 06576.0132

**Attorney Primary Email** [jmurphy@aml.com.mx](mailto:jmurphy@aml.com.mx)

**Attorney Email Authorized:** Yes

**Address:**

### Correspondent

**Correspondent** John M. Murphy

**Name/Address:** Arochi, Marroquín & Lindner, S.C.  
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**Phone:** 011.52.55.5095.2031

**Fax:** 011.52.55.5095.2028

**Correspondent e-mail:** [jmurphy@aml.com.mx](mailto:jmurphy@aml.com.mx)

**Correspondent e-mail Authorized:** Yes

### Domestic Representative

[Privacy](#) - [Terms](#)



**Domestic Representative** John M. Murphy**Phone:** 011.52.55.5095.2031**Name:****Fax:** 011.52.55.5095.2028**Domestic Representative e-mail:** [jmurphy@aml.com.mx](mailto:jmurphy@aml.com.mx)**Domestic Representative e-mail Authorized:** Yes

## Prosecution History

Date	Description	Proceeding Number
Feb. 13, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 13, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Aug. 17, 2017	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
Aug. 17, 2017	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	74704
Aug. 17, 2017	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	74704
Aug. 17, 2017	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	74704
Jul. 07, 2017	TEAS SECTION 8 & 9 RECEIVED	
Oct. 23, 2016	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Feb. 11, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 09, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Dec. 31, 2013	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Dec. 31, 2013	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	66607
Dec. 20, 2013	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	66607
Dec. 30, 2013	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	66607
Dec. 20, 2013	TEAS SECTION 8 & 15 RECEIVED	
Jan. 22, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Oct. 23, 2007	REGISTERED-PRINCIPAL REGISTER	
Sep. 18, 2007	LAW OFFICE REGISTRATION REVIEW COMPLETED	73797
Sep. 18, 2007	ASSIGNED TO LIE	73797
Aug. 13, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Aug. 10, 2007	STATEMENT OF USE PROCESSING COMPLETE	75606
Jun. 20, 2007	USE AMENDMENT FILED	75606
Jun. 20, 2007	TEAS STATEMENT OF USE RECEIVED	
May 14, 2007	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 14, 2007	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 14, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 23, 2007	EXTENSION 2 GRANTED	65362
Dec. 15, 2006	EXTENSION 2 FILED	65362
Dec. 15, 2006	TEAS EXTENSION RECEIVED	
Apr. 26, 2006	EXTENSION 1 GRANTED	66530

Apr. 07, 2006	EXTENSION 1 FILED	66530
Apr. 07, 2006	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
Apr. 07, 2006	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
Apr. 07, 2006	TEAS EXTENSION RECEIVED	
Dec. 20, 2005	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Sep. 27, 2005	PUBLISHED FOR OPPOSITION	
Sep. 07, 2005	NOTICE OF PUBLICATION	
Aug. 15, 2005	LAW OFFICE PUBLICATION REVIEW COMPLETED	76523
Aug. 11, 2005	APPROVED FOR PUB - PRINCIPAL REGISTER	
Aug. 04, 2005	EXAMINER'S AMENDMENT ENTERED	76523
Aug. 04, 2005	ASSIGNED TO LIE	76523
Aug. 04, 2005	EXAMINERS AMENDMENT E-MAILED	6328
Aug. 04, 2005	EXAMINERS AMENDMENT -WRITTEN	80804
Aug. 03, 2005	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	73793
Aug. 02, 2005	ASSIGNED TO EXAMINER	80804
Jul. 18, 2005	APPLICANT AMENDMENT PRIOR TO EXAMINATION - ENTERED	76984
Jul. 18, 2005	PAPER RECEIVED	
Jul. 18, 2005	FAX RECEIVED	
Jan. 12, 2005	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

### File Location

Current Location: GENERIC WEB UPDATE

Date in Location: Aug. 17, 2017

## Assignment Abstract Of Title Information - Click to Load

## Proceedings - Click to Load

**Int. Cl.: 29**

**Prior U.S. Cl.: 46**

**United States Patent and Trademark Office**

**Reg. No. 3,319,712**

**Registered Oct. 23, 2007**

**TRADEMARK  
PRINCIPAL REGISTER**



IBE BUSINESS ENTERPRISE AG (SWITZER-  
LAND CORPORATION)  
BAARERSTRASSE 86  
ZUG, SWITZERLAND 6300

OWNER OF U.S. REG. NO. 2,829,118.

THE MARK CONSISTS OF STYLIZED FLOWER  
ABOVE STYLIZED LETTERING LALA.

FOR: NATURAL AND FLAVORED YOGHURTS  
AND SOUR CREAM, IN CLASS 29 (U.S. CL. 46).

SN 78-539,780, FILED 12-29-2004.

FIRST USE 1-31-2007; IN COMMERCE 1-31-2007.

TEJBIR SINGH, EXAMINING ATTORNEY

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STATUS DOCUMENTS MAINTENANCE

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**Mark:** LALA

LALA

**US Serial Number:** 78979406

**Application Filing Date:** Jun. 16, 2005

**US Registration Number:** 3383435

**Registration Date:** Feb. 12, 2008

**Register:** Principal

**Mark Type:** Trademark

**TM5 Common Status**

LIVE/REGISTRATION/Issued and Active

**Descriptor:**



The trademark application has been registered with the Office

**Status:** The registration has been renewed.

**Status Date:** May 15, 2018

**Publication Date:** Oct. 24, 2006

**Notice of Allowance Date:** Jan. 16, 2007

## Mark Information

**Mark Literal Elements:** LALA

**Standard Character Claim:** Yes. The mark consists of standard characters without claim to any particular font style, size, or color.

**Mark Drawing Type:** 4 - STANDARD CHARACTER MARK

## Related Properties Information

**Claimed Ownership of US** [2829118](#)

**Registrations:**

**Child Of:** [78652550](#)

## Foreign Information

**Foreign Registration** 874750  
**Number:**

**Foreign Registration Date:** Mar. 31, 2005

**Foreign** MEXICO  
**Application/Registration**  
**Country:**

**Foreign Expiration Date:** Jul. 19, 2014

**Foreign Registration** 329719  
**Number:**

**Foreign Registration Date:** Jul. 27, 1

[Privacy](#) - [Terms](#)

**Foreign** MEXICO  
**Application/Registration**  
**Country:**

**Foreign Expiration Date:** May 20, 2012

## Goods and Services

### Note:

The following symbols indicate that the registrant/owner has amended the goods/services:

- Brackets [..] indicate deleted goods/services;
- Double parenthesis ((..)) identify any goods/services not claimed in a Section 15 affidavit of incontestability; and
- Asterisks \*.\* identify additional (new) wording in the goods/services.

**For:** milk; lactose-free milk; chocolate milk;[ fruit-flavored milk; vanilla-flavored milk; milk-based beverages containing cream;[ half and half;] yogurt-based beverages; Dairy products excluding ice cream, ice milk and soft cheese; ] yogurt

**International Class(es):** 029 - Primary Class

**U.S Class(es):** 046

**Class Status:** ACTIVE

**Basis:** 1(a) 44(e)

**First Use:** Jan. 2005

**Use in Commerce:** Jan. 2005

**For:** [ Fruit-flavored beverages ]

**International Class(es):** 032 - Primary Class

**U.S Class(es):** 045, 046, 048

**Class Status:** ACTIVE

**Basis:** 1(a) 44(e)

## Basis Information (Case Level)

**Filed Use:** No

**Currently Use:** Yes

**Filed ITU:** Yes

**Currently ITU:** No

**Filed 44D:** No

**Currently 44E:** Yes

**Filed 44E:** Yes

**Currently 66A:** No

**Filed 66A:** No

**Currently No Basis:** No

**Filed No Basis:** No

## Current Owner(s) Information

**Owner Name:** COMERCIALIZADORA DE LACTEOS Y DERIVADOS, S.A. DE C.V.

**Owner Address:** Parque Indus. Carlos A. Herrera Araluce  
 Calz. Carlos Herrera Araluce No. 185  
 Gómez Palacio, Durango MEXICO 35079

**Legal Entity Type:** SOCIEDAD ANONIMA DE CAPITAL VARIABLE

**State or Country Where Organized:** MEXICO

## Attorney/Correspondence Information

### Attorney of Record

**Attorney Name:** John M. Murphy**Docket Number:** 06576.0152**Attorney Primary Email** [jmurphy@aml.com.mx](mailto:jmurphy@aml.com.mx)**Attorney Email Authorized:** Yes**Address:****Correspondent****Correspondent** John M. Murphy**Name/Address:** Arochi, Marroquín & Lindner, S.C.  
5802 Bob Bullock (Loop 20)  
Building C1-56YI  
Laredo, TEXAS UNITED STATES 78041**Phone:** 011.52.55.5095.2031**Fax:** 011.52.55.5095.2028**Correspondent e-mail:** [jmurphy@aml.com.mx](mailto:jmurphy@aml.com.mx)  
[icajiao@arochilindner.com](mailto:icajiao@arochilindner.com)**Correspondent e-mail** Yes  
**Authorized:****Domestic Representative****Domestic Representative** John M. Murphy  
**Name:****Phone:** 011.52.55.5095.2031**Fax:** 011.52.55.5095.2028**Domestic Representative e-mail:** [jmurphy@aml.com.mx](mailto:jmurphy@aml.com.mx)**Domestic Representative e-mail** Yes  
**Authorized:****Prosecution History**

Date	Description	Proceeding Number
May 15, 2018	NOTICE OF ACCEPTANCE OF SEC. 8 & 9 - E-MAILED	
May 15, 2018	REGISTERED AND RENEWED (FIRST RENEWAL - 10 YRS)	64591
May 15, 2018	REGISTERED - SEC. 8 (10-YR) ACCEPTED/SEC. 9 GRANTED	64591
May 15, 2018	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	64591
May 04, 2018	TEAS SECTION 8 & 9 RECEIVED	
Feb. 13, 2018	APPLICANT/CORRESPONDENCE CHANGES (NON-RESPONSIVE) ENTERED	88888
Feb. 13, 2018	TEAS CHANGE OF OWNER ADDRESS RECEIVED	
Feb. 12, 2017	COURTESY REMINDER - SEC. 8 (10-YR)/SEC. 9 E-MAILED	
Feb. 11, 2015	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jul. 09, 2014	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Feb. 06, 2014	NOTICE OF ACCEPTANCE OF SEC. 8 & 15 - E-MAILED	
Feb. 06, 2014	REGISTERED - SEC. 8 (6-YR) ACCEPTED & SEC. 15 ACK.	68335
Jan. 24, 2014	REGISTERED - SEC. 8 (6-YR) & SEC. 15 FILED	68335
Feb. 06, 2014	CASE ASSIGNED TO POST REGISTRATION PARALEGAL	68335
Jan. 24, 2014	TEAS SECTION 8 & 15 RECEIVED	
Feb. 12, 2008	REGISTERED-PRINCIPAL REGISTER	
Jan. 22, 2008	TEAS CHANGE OF CORRESPONDENCE RECEIVED	
Jan. 07, 2008	LAW OFFICE REGISTRATION REVIEW COMPLETED	65864
Jan. 07, 2008	ASSIGNED TO LIE	65864

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Nov. 20, 2007	ALLOWED PRINCIPAL REGISTER - SOU ACCEPTED	
Oct. 26, 2007	STATEMENT OF USE PROCESSING COMPLETE	76873
Oct. 19, 2007	USE AMENDMENT FILED	76873
Oct. 26, 2007	DIVISIONAL PROCESSING COMPLETE	
Oct. 19, 2007	DIVISIONAL REQUEST RECEIVED	
Oct. 19, 2007	FAX RECEIVED	
Oct. 12, 2007	REVIEW OF CORRESPONDENCE COMPLETE	76873
Oct. 11, 2007	EMAIL RECEIVED	
Oct. 03, 2007	REVIEW OF CORRESPONDENCE COMPLETE	76873
Jul. 16, 2007	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jul. 16, 2007	TEAS DELETE 1(B) BASIS RECEIVED	
Jul. 16, 2007	FAX RECEIVED	
Jul. 13, 2007	EXTENSION 1 GRANTED	98765
Jul. 13, 2007	EXTENSION 1 FILED	98765
Jul. 13, 2007	TEAS EXTENSION RECEIVED	
May 14, 2007	ATTORNEY/DOM.REP.REVOKED AND/OR APPOINTED	
May 14, 2007	TEAS REVOKE/APP/CHANGE ADDR OF ATTY/DOM REP RECEIVED	
May 14, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
May 10, 2007	AUTOMATIC UPDATE OF ASSIGNMENT OF OWNERSHIP	
Jan. 16, 2007	NOA MAILED - SOU REQUIRED FROM APPLICANT	
Oct. 24, 2006	PUBLISHED FOR OPPOSITION	
Oct. 04, 2006	NOTICE OF PUBLICATION	
Sep. 07, 2006	LAW OFFICE PUBLICATION REVIEW COMPLETED	76568
Aug. 10, 2006	APPROVED FOR PUB - PRINCIPAL REGISTER	
Jul. 16, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	76568
Jun. 29, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	76568
Jun. 29, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 29, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Jun. 29, 2006	NON-FINAL ACTION E-MAILED	6325
Jun. 29, 2006	NON-FINAL ACTION WRITTEN	80804
Jun. 17, 2006	TEAS/EMAIL CORRESPONDENCE ENTERED	76538
May 16, 2006	CORRESPONDENCE RECEIVED IN LAW OFFICE	76538
May 16, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
May 16, 2006	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Apr. 27, 2006	NON-FINAL ACTION E-MAILED	6325
Apr. 27, 2006	NON-FINAL ACTION WRITTEN	80804
Apr. 18, 2006	REPORT COMPLETED SUSPENSION CHECK CASE STILL SUSPENDED	
Oct. 18, 2005	CORRESPONDENCE E-MAILED	
Oct. 18, 2005	SUSPENSION LETTER WRITTEN	80804

Oct. 09, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	69712
Sep. 29, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	69712
Sep. 29, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Sep. 15, 2005	FINAL REFUSAL E-MAILED	
Sep. 15, 2005	FINAL REFUSAL WRITTEN	80804
Aug. 23, 2005	TEAS/EMAIL CORRESPONDENCE ENTERED	76568
Aug. 15, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	76568
Aug. 23, 2005	ASSIGNED TO LIE	76568
Aug. 15, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 15, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 15, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 15, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 15, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 15, 2005	TEAS RESPONSE TO OFFICE ACTION RECEIVED	
Aug. 08, 2005	NON-FINAL ACTION E-MAILED	6325
Aug. 08, 2005	NON-FINAL ACTION WRITTEN	80804
Aug. 02, 2005	ASSIGNED TO EXAMINER	80804
Jul. 18, 2005	AMENDMENT FROM APPLICANT ENTERED	76243
Jul. 05, 2005	CORRESPONDENCE RECEIVED IN LAW OFFICE	76243
Jul. 05, 2005	TEAS VOLUNTARY AMENDMENT RECEIVED	
Jun. 21, 2005	NEW APPLICATION ENTERED IN TRAM	

## TM Staff and Location Information

### TM Staff Information - None

### File Location

Current Location: GENERIC WEB UPDATE

Date in Location: May 15, 2018

## Assignment Abstract Of Title Information - Click to Load

## Proceedings - Click to Load



**Int. Cls.: 29 and 32**

**Prior U.S. Cls.: 45, 46, and 48**

**United States Patent and Trademark Office**

**Reg. No. 3,383,435**

**Registered Feb. 12, 2008**

**TRADEMARK  
PRINCIPAL REGISTER**

**LALA**

IBE BUSINESS ENTERPRISE AG (SWITZER-  
LAND CORPORATION)  
BAARERSTRASSE 86  
ZUG, SWITZERLAND 6300

FOR: MILK; LACTOSE-FREE MILK; CHOCO-  
LATE MILK; FRUIT-FLAVORED MILK; VANILLA-  
FLAVORED MILK; MILK-BASED BEVERAGES  
CONTAINING COFFEE; DAIRY-BASED BEVERA-  
GES; CREAM; HALF AND HALF; YOGURT-BASED  
BEVERAGES; DAIRY PRODUCTS EXCLUDING  
ICE CREAM, ICE MILK AND FROZEN YOGURT;  
CHEESE; SOFT CHEESE; YOGURT, IN CLASS 29  
(U.S. CL. 46).

FIRST USE 1-0-2005; IN COMMERCE 1-0-2005.

FOR: FRUIT-FLAVORED BEVERAGES, IN  
CLASS 32 (U.S. CLS. 45, 46 AND 48).

THE MARK CONSISTS OF STANDARD CHAR-  
ACTERS WITHOUT CLAIM TO ANY PARTICULAR  
FONT, STYLE, SIZE, OR COLOR.

OWNER OF MEXICO REG. NO. 329719, DATED 7-  
27-1987, EXPIRES 5-20-2012.

OWNER OF MEXICO REG. NO. 874750, DATED 3-  
31-2005, EXPIRES 7-19-2014.

OWNER OF U.S. REG. NO. 2,829,118.

SN 78-979,406, FILED 6-16-2005.

TEJBIR SINGH, EXAMINING ATTORNEY